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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(San Joaquin)

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In re the Marriage of MICHAEL MAGDOWSKI  
and XIAO HUA GAO.

MICHAEL MAGDOWSKI,

Appellant,

v.

XIAO HUA GAO,

Respondent.

C085410

(Super. Ct. No.  
STKFL20160000013)

Michael Magdowski (husband) appeals from an order dividing the marital estate arising out of his marriage to Xiao Hua Gao. On appeal, husband claims the trial court erred in ordering him to sell real property in China, property that the court determined was community property, and deposit the proceeds from that sale into a trust account to be released to the parties by stipulation or further order of the court. We affirm the court's order.

In a challenge to an order of the court, the trial court's order is presumed to be correct and the appellant has the burden to prove otherwise by presenting legal authority and analysis on each point made, supported by appropriate citations to the material facts in the record, else the argument may be deemed forfeited. (*Badie v. Bank of America* (1998) 67 Cal.App.4th 779, 784-785; *Guthrey v. State of California* (1998) 63 Cal.App.4th 1108, 1115-1116; *Duarte v. Chino Community Hospital* (1999) 72 Cal.App.4th 849, 856.) It is the appellant's responsibility to support claims of error with citation and authority; we are not obligated to perform that function on the appellant's behalf and may treat the contentions as forfeited. (*Lewis v. County of Sacramento* (2001) 93 Cal.App.4th 107, 113; *Badie*, at pp. 784-785.)

These rules of appellate procedure apply to husband even though he is representing himself on appeal. (*Leslie v. Board of Medical Quality Assurance* (1991) 234 Cal.App.3d 117, 121; see also *Nelson v. Gaunt* (1981) 125 Cal.App.3d 623, 638-639; *Wantuch v. Davis* (1995) 32 Cal.App.4th 786, 795.) Husband has failed to comply with these rules and thus his claims on appeal are forfeited.

Moreover, the order from which husband appeals was issued following a contested hearing and the record on appeal does not include a reporter's transcript from that hearing. Therefore, we must treat this as an appeal on the judgment roll. (*Allen v. Toten* (1985) 172 Cal.App.3d 1079, 1082-1083; *Krueger v. Bank of America* (1983) 145 Cal.App.3d 204, 207.)

It is the burden of the party challenging a judgment to provide an adequate record to assess claims of error. (*Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1140-1141.) When an appeal is "on the judgment roll" (*Allen v. Toten, supra*, 172 Cal.App.3d at pp. 1082-1083), we must conclusively presume evidence was presented that is sufficient to support the court's findings (*Ehrler v. Ehrler* (1981) 126 Cal.App.3d 147, 154). Our review is limited to determining whether any error "appears on the face of the record." (*National Secretarial Service, Inc. v. Froehlich* (1989) 210 Cal.App.3d 510, 521; Cal. Rules of

Court, rule 8.163.) Even were husband's claims not forfeited, on the face of this record, we find no error.

#### DISPOSITION

The orders of the court are affirmed.

\_\_\_\_\_/s/  
HOCH, J.

We concur:

\_\_\_\_\_/s/  
MURRAY, Acting P. J.

\_\_\_\_\_/s/  
DUARTE, J.